

Note: The following case(s) is/are included in this ad.

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Process No.	Applicant Name
<u>01-398</u>	<u>ACROPOLIS REALTY LLC</u>
<u>02-160</u>	<u>BAPTIST HOSPITAL OF MIAMI, INC.</u>
<u>03-133</u>	<u>SHOOTERS BILLIARDS, INC.</u>
<u>03-320</u>	<u>A WALK IN THE FALL PARK, INC.</u>
<u>04-015</u>	<u>JOSE & ELIZABETH GARCIA</u>
<u>04-093</u>	<u>ELDA ROBLES</u>
<u>04-311</u>	<u>ROBERT H. & PATRICIA N. GRAY</u>
<u>04-374</u>	<u>PANCHO MENENDEZ LAND TRUST</u>

THE FOLLOWING HEARING WAS REMANDED BY THE BOARD OF COUNTY COMMISSIONERS TO THIS DATE:

HEARING NO. 03-11-CZ12-1 (01-398)

4-55-40
Council Area 12
Comm. Dist. 8

APPLICANT: ACROPOLIS REALTY LLC

ACROPOLIS REALTY LLC is appealing the decision of the Community Zoning Appeals Board #12 which denied in part, the following:

- (1) RU-5A & BU-1 to OPD
- (2) The applicant is requesting to permit a lot with an area of 2.94 acres (3 acres required).
- (3) The applicant is requesting to permit a floor area ratio of 0.94 (0.86 permitted).

OR IN THE ALTERNATIVE TO REQUESTS #1 - #3, THE FOLLOWING:

- (4) RU-5A & BU-1 to RU-5A

AND WITH EITHER REQUEST:

- (5) DELETION of a Declaration of Restrictions recorded in Official Record Book 11841 at Pages 1328 through 1329.

The purpose of the request is to remove an agreement from the site which limits the uses on the commercial parcel and ties the site to a specific plan.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #3 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #5 request may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

Plans for the OPD proposal only are on file and may be examined in the Zoning Department entitled "Agora Professional Building," as prepared by Fullerton-Diaz Architects, Inc., consisting of 8 pages, dated, signed and sealed 12-6-04 and two pages of landscape plans dated 10-22-04. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south ½ of the south ½ of the NE¼ of the NE¼ of the NE¼, less the east 35' thereof and less the west 25' thereof, in Section 4, Township 55 South, Range 40 East. The south 20' of the right-of-way of S.W. 89 Terrace and the east 25' of S.W. 88 Avenue, thereof shall be added to the buildable site.

LOCATION: 8960-70 S.W. 87 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.94 Acres

RU-5A (Semi-professional Offices)
BU-1 (Business – Neighborhood)
OPD (Office Park District)

APPLICANT: BAPTIST HOSPITAL OF MIAMI, INC.

- (1) SPECIAL EXCEPTION and UNUSUAL USE to permit the expansion of a previously approved hospital onto additional property to the east.
- (2) MODIFICATION of Condition #2 of Resolution 2ZAB-551-63, last modified by Resolution CZAB12-15-99, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Baptist Hospital of Miami,' as prepared by Perkins & Will, dated February 22, 1999 consisting of 6 sheets. Except as herein modified to reflect the removal of the temporary parking lot and of the five (5) acre parcel from site plans."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Baptist Hospital of Miami,' as prepared by Perkins & Will, consisting of 40 sheets, all dated 6/8/04."

- (3) MODIFICATION of Condition #5 of Resolution 3ZAB-266-68, passed and adopted by the Zoning Appeals Board and last modified by Resolution Z-166-86, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "5. That the use be approved for and restricted to a maximum of 183 children at any one time.

TO: "5. That the use be approved for and restricted to a maximum of 388 children at any one time.

- (4) MODIFICATION of Condition #2 of Resolution CZAB12-25-00, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Temporary Parking Lot,' as prepared by RO Architects & Planners, Inc., and dated received 2/7/00, except as herein modified to provide the required landscaping."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Baptist Hospital of Miami,' as prepared by Perkins & Will, consisting of 40 sheets, all dated 6/8/04."

- (5) MODIFICATION of Condition #1 of a Declaration of Restrictive Covenants recorded in Official Records Book 13702, Pages 1553 through 1561, said agreements being required as a condition of Resolution 4ZAB-248-87 and last modified by Paragraph 1 of a Second

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APPLICANT: BAPTIST HOSPITAL OF MIAMI, INC.

PAGE TWO

Modification of Declaration of Restrictive Covenants, recorded in Official Records Book 18678, Pages 2068 through 2081, submitted pursuant to Resolution CZAB12-15-99, as follows:

FROM: "1. The Property will be developed substantially in accordance with the site plan entitled 'Baptist Hospital of Miami,' as prepared by Perkins & Will, dated received February 22, 1999, consisting of 6 sheets, hereinafter referred to as the 'site plan' as modified from time to time, no modification shall be effected in said Site Plan without the prior written consent of the then owner(s) of the portion of the Property for which modification is sought, and the Director of the Miami-Dade County Planning and Zoning Department, provided further that if the Director finds that the modification conforms with the standards established in §33-257, Miami-Dade County Code; and provided further that if the Director withholds such approval for any reason, the then owner(s) of the portion of the Property for which such modification is sought shall be permitted to seek such modification by a zoning application filed with the Miami-Dade County Planning and Zoning Department, to modify the Site Plan or the Covenant at public hearing before the Community Zoning Appeals Board or Board of County Commissioners of Miami-Dade County, Florida, (whichever body by law has jurisdiction over such matters).

TO: "1. The property will be developed substantially in accordance with the site plans entitled 'Baptist Hospital of Miami, Inc.,' consisting of 40 pages, dated 6/8/04 as prepared by Perkins & Will."

The purpose of requests #2 - #5 is to amend the master development plan for the hospital to expand onto additional property to the east, to include new ancillary buildings and parking garages and to increase the number of children for the day care center.

(6) Applicant is requesting to permit additional ancillary buildings with heights varying from 35' to 100' (35' permitted) and from 3 stories to 7 stories (2 stories permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #5 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or elimination of conditions or covenants after public hearing) and approval of request #6 may be considered under §33-311(A)(4)(b) (None-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

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APPLICANT: BAPTIST HOSPITAL OF MIAMI, INC.

PAGE THREE

SUBJECT PROPERTY: The west $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East; and the east $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; and the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; and the north $\frac{3}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; and the west 275' of the south $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, and the south $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, less the west 2 acres (A/K/A: the west 266.44') thereof; and less the following streets dedicated as public right-of-way and recorded in Official Records Book; S.W. 88 Street, Official Records Book 974, Page 569 and Official Records Book 2624, Page 53 and Official Records Book 3642 at page 450, S.W. 87 Court, Official Records Book 6057 at Page 489, S.W. 89 Terrace, Official Records Book 6057 at Page 485 and Official Records Book 6057 at page 487, S.W. 88 Avenue, Official Records Book 974, Page 569 (Portions later closed by Resolution #R-781-68), S.W. 94 Street, Official Records Book 974 at page 569 and Official Records Book 11693 at Page 634, S.W. 90 Avenue, Official Records Book 974 at Page 569 (later closed by Resolution #R-1394-71); AND: The north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East, less the east 427', the north 175' and the west 25' thereof; AND: The west 86.5' of the east 427' of the north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East, less the north 257' thereof; AND: The west 400' of the south $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East, less the south 25' and less the west 25' thereof; AND: The north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East; less and except the west 180' of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East, less the north 25' thereof, for public road purposes; AND LESS AND EXCEPT THE FOLLOWING PARCEL: Commence at the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; thence run N87°25'33"E, along the north line of said NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$; for 180'; thence run S2°11'42"E, along the east line of the west 180' of said NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, for 30' to the Point of beginning. From said Point of beginning, thence run N87°25'33"E, along a line 30' south of and parallel to the last described north line, for 100'; thence run S2°11'41"E, for 40'; thence run S87°25'33"W for 69'; thence run S2°11'41"E, for 19'; thence run S87°25'33"W for 22'; thence run S2°11'41"E for 100'; thence run S29°41'46"W for 17.04'; thence run N2°11'41"W along the east line of the west 180' of said NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, for 173.41' to the Point of beginning. AND LESS AND EXCEPT THE FOLLOWING PARCEL: Begin at the Northeast corner of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 55 South, Range 40 East; thence run S/ly, along the east line of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4 for a distance of 325.63' to the Southeast corner of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; thence run W/ly, along the south line of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, for a distance of 40' to the Point of intersection with a line that is 40' west of and parallel to the east line of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; thence run N/ly, along the line that is 40' west of and parallel to the east line of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, for a distance of 155.72' to the Point of curvature of a circular curve to the right; thence run NE/ly, along the arc of said circular curve to the right, having a radius of 1,185.92', through a central angle of 08°14'37", for an arc distance of 170.63', to the Point of intersection with the north line of the north $\frac{1}{2}$ of the

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APPLICANT: BAPTIST HOSPITAL OF MIAMI, INC.

PAGE FOUR

NE ¼ of the SE ¼ of the NE ¼ of said Section 4; thence run E/ly, along the north line of the north ½ of the NE ¼ of the SE ¼ of the NE ¼ of said Section 4, for a distance of 27.75' to the Point of beginning. AND: The south ½ of the NE ¼ of the SE ¼ of the NE ¼, less the south 190' of the east 285', and less the west 257' and less the north 150' of the east 285', lying in Section 4, Township 55 South, Range 40 East, less the south 25' thereof. AND: The west 180' of the north ½ of the NE ¼ of the SE ¼ of the NE ¼ of Section 4, Township 55 South, Range 40 East, less and excepting the north 25'. AND: A portion of the north ½ of the NE ¼ of the SE ¼ of the NE ¼ of Section 4, Township 55 South, Range 40 East, being more particularly described as follows:

Commence at the Northwest corner of the NE ¼ of the SE ¼ of the NE ¼ of said Section 4; thence run N87°25'33"E, along the north line of said NE ¼, SE ¼, NE ¼, for 180'; thence run S2°11'42"E along the east line of the west 180' of said NE ¼, SE ¼, NE ¼, for 30' to the Point of beginning. From said Point of beginning, thence run N87°25'33"E, along a line 30' south of and parallel to last described north line for 100'; thence run S2°11'41"E for 40'; thence run S87°25'33"W for 69'; thence run S2°11'41"E for 19'; thence run S87°25'33"W for 22'; thence run S2°11'41"E for 100'; thence run S29°41'46"W for 17.04'; thence run N2°11'41"W along the east line of the west 180' of said NE ¼, SE ¼, NE ¼, for 173.41' to the Point of beginning. LESS: The south ½ of the NE ¼ of the SE ¼ of the NE ¼, less the south 190' of the east 285', and less the west 257' and less the north 150' of the east 285', lying in Section 4, Township 55 South, Range 40 East, less the south 25' thereof. A PORTION OF S.W. 88 AVENUE & S.W. 92 STREET TO BE VACATED: Commence at the Southeast corner of the SE ¼ of the NE ¼ of the NE ¼ of Section 4, Township 55 South, Range 40 East; thence run S87°25'33"W for 278.6' to the Point of beginning of the following described parcel: thence run N2°34'26"W for 25'; thence run S87°25'33"W for 349.84' to the Point of curvature of a circular curve; concave to the Northeast having a radius of 25' and a central angle of 89°37'17"; thence run W/ly and N/ly along the arc of said curve for 39.44' to a Point of tangency with the east line of the west 25' of the SE ¼ of the NE ¼ of the NE ¼ of said Section 4; thence run N02°11'44"W for 427.03'; thence run N87°48'16"W for 50'; thence run S02°11'44"E for 502.52'; thence run N87°25'33"E for 425.34'; thence run N02°11'44"W for 25' to the Point of beginning.

LOCATION: 8900 S.W. 88 Street (North Kendall Drive), Miami-Dade County, Florida.

SIZE OF PROPERTY: 73.4 Acres

PRESENT ZONING: RU-5A (Semi-professional Offices)
RU-4L (Limited Apartment House 23 units/net acre)
RU-1 (Single Family Residential)

APPLICANT: SHOOTERS BILLIARDS, INC.

- (1) SPECIAL EXCEPTION to permit the expansion of a beer and wine bar/pool hall to include liquor.
- (2) SPECIAL EXCEPTION of spacing requirements as applied to alcoholic beverage uses; to permit expansion to the pool hall spaced less than the required 1,500' from existing alcoholic beverage uses and spaced less than 2,500' from a school and a religious facility.
- (3) MODIFICATION of Condition #2 of Resolution 4-ZAB-420-92, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'T. J. Maxx Plaza,' as prepared by Edward M. Ghezzi, P. A., dated 4-10-92 and 6-1-92 and a liquor survey as prepared by E. R. Brownell and Associates, Inc., dated 5-28-92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Sharpshooter Billiards, Inc.,' as prepared by Edward M. Ghezzi, P. A., dated stamped received 10-21-04, consisting of 1 sheet, and a nightclub survey as prepared by A. Flore and Associates, Inc., dated received 4-22-03."

The purpose of request #3 is to allow the applicant to submit revised plans to showing liquor sales in the previously approved bar/pool hall.

- (4) Applicant is requesting to permit the extension of hours of operation from 1:00 a.m. to 4:50 a.m. (not permitted) Sundays through Mondays, inclusive.

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A", T. J. MAXX SUBDIVISION, Plat book 1222, Page 24.

LOCATION: 7200 S.W. 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 13.22 Acres

PRESENT ZONING: BU-1A (Business – Limited)
BU-2 (Business – Special)

HEARING NO. 05-1-CZ12-3 (03-320)

21-55-40
Council Area 12
Comm. Dist. 8

APPLICANT: A WALK IN THE FALL PARK, INC.

(1) EU-1 to EU-M

(2) Applicant is requesting to permit one curvilinear lot with a frontage of 79.31' & one curvilinear lot with a frontage of 79.44' (80' frontage required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

A plan is on file and may be examined in the Zoning Department entitled "Site Plan," as prepared by Mario Prats, Jr. & Associates, Inc., consisting of 1 sheet dated 10/13/03. Plans may be modified at public hearing.

SUBJECT PROPERTY: The east $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Section 21, Township 55 South, Range 40 East.

LOCATION: The Southwest corner of S.W. 148 Street & S.W. 93 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 5.11 Acres

EU-1 (Estates 1 Family 1 Acre)

EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

APPLICANTS: JOSE & ELIZABETH GARCIA

- (1) Applicant is requesting to permit accessory structures setback a minimum of 0' (20' required) from the interior side (north) property line.
- (2) Applicant is requesting to permit accessory structures (dog house and shed) setback 4' (20' required) from the interior side (south) property line.
- (3) Applicant is requesting to permit an accessory structure (dog house) in front of the principal structure (not permitted) on a dual frontage lot.
- (4) Applicant is requesting to permit said dog house and shed spaced 2' from each other (10' required).
- (5) Applicant is requesting to permit an accessory structure (greenhouse) spaced 8' (10' required) from the principal structure.
- (6) Applicant is requesting to permit an accessory structure (greenhouse) setback 12.75' (20' required) from the interior side (north) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Residence for Jose & Elizabeth Garcia," as prepared by CAD Studio Architecture, Inc., consisting of 4 sheets, dated stamped received September 22, 2004. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 1, LANDEES GROVE, Plat book 139, Page 91.

LOCATION: 11420 S.W. 93 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 55,000 sq. ft.

PRESENT ZONING: EU-1 (Estates 1 Family 1 Acre Gross)

APPLICANT: ELDA ROBLES

- (1) Applicant is requesting to permit a covered terrace addition to a single-family residence setback 18.5' (25' required) from the rear (west) property line.
- (2) Applicant is requesting to permit a pump house spaced 7.75' (10' required) from the principal structure.
- (3) Applicant is requesting to permit a trellis spaced a minimum of 4.5' (10' required) from the principal structure.
- (4) Applicant is requesting to permit said trellis setback 2.25' (20' required) from the interior side (north) property line.
- (5) Applicant is requesting to permit a swimming pool setback 13.75' (20' required) from the interior side (north) property line.
- (6) Applicant is requesting to permit a tennis court setback 0.63' (7.5' required) from the rear (west) and 1.9' (20' required) from the interior side (south) property lines.
- (7) Applicant is requesting to permit a chain link fence surrounding a tennis court with a height of 10' (8' maximum permitted) along the rear (west) and interior side (south) property lines.
- (8) Applicant is requesting to permit a rear yard area coverage of 9.53% (5% maximum permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Remodeling at 7390 S.W. 79 Court," as prepared by Oscar Posada, Architect, consisting of 5 sheets, dated stamped received 10/19/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 21, except the south 170' thereof, of 2ND AMENDED PLAT OF SUNSET GROVE, Plat book 50, Page 22, ALSO:

Commencing at the Northwest corner of Tract 1, AMENDED PLAT OF SUNSET GROVE, a subdivision of the north $\frac{3}{4}$ of the east $\frac{1}{2}$ of the west $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 34, Township 54 South, Range 40 East, Plat book 38, Page 4, which said point is 25' south of the Northwest corner of the north $\frac{3}{4}$ of the east $\frac{1}{2}$ of the west $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 34, Township 54 South, Range 40 East; thence run south along the west boundary of said subdivision for 559' to a point, east on a line parallel with the north boundary of said subdivision for 238' to a point; thence north on a line parallel with the west boundary of said subdivision for 559' to a point in the north boundary of said subdivision; thence west along the north boundary of said subdivision for 238' to the Point of beginning; less the north 397' thereof.

LOCATION: 7390 S.W. 79 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.422 Acres

PRESENT ZONING: EU-1 (Estates 1 Family 1 Acre Gross)

APPLICANTS: ROBERT H. & PATRICIA N. GRAY

- (1) DELETION of Condition #1 of Resolution Z-18-80, passed and adopted by the Board of County Commissioners, only as it applies to the subject property, reading as follows:

“1. That the subject property will be divided and maintained in accordance with a revised plan submitted for the hearing being identified as, ‘Survey Sketch,’ prepared for Gilbert Mart by Robert Schuler & Assoc., Land Surveyors, dated July 10, 1979, and last revised January 24, 1980.”

The purpose of this request is to allow the applicant to remove the previously approved plan on this site to develop the parcel into 2 lots and build in accordance within the underlying zone.

- (2) SPECIAL EXCEPTION to permit the resubdivision and refacing of a platted lot into two proposed lots: Lot #1 to face S.W. 147 Street and Lot #2 to face S.W. 146 Street.
- (3) Applicant is requesting to permit proposed Lot #1 with a frontage of 112.88’ and proposed Lot #2 with a frontage of 112.22’ (120’ required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #3 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plan is on file and may be examined in the Zoning Department entitled “Map of Boundary Survey for Certain Homes, Inc.,” as prepared by Hadonne Corp., consisting of one sheet and dated stamped received 8/16/04. Plan may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 1, C. I. D. SUBDIVISION, Plat book 118, Page 28.

LOCATION: 14605 S.W. 97 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.778 Acre

PRESENT ZONING: EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

APPLICANT: PANCHO MENENDEZ LAND TRUST

(1) GU, BU-2, RU-1 & RU-4M to BU-2

REQUEST #1 ON EXHIBIT "A"

(2) GU, BU-2, RU-1 & RU-4M to RU-4L

(3) Applicant is requesting to permit parking back out of 14' (22' required).

REQUESTS #2 & #3 ON EXHIBIT "B"

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(15) (Alternative Site Development Option for Multiple-Family Use) or under §33-311(a)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "The Train Station," as prepared by Juan J. Farach, consisting of 9 sheets and dated last revised 9/6/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: EXHIBIT "A": A portion of Florida East Coast Railway's Right-of-Way in Section 23, Township 54 South, Range 40 East, bounded on the north by the south right-of-way line of S.W. 40 Street (Bird Road), said right-of-way line lying 50' south of the north line of said Section 23 and bounded on the west by a line of 50' east of the centerline of the Florida East Coast Railway; main line tract as now established and bounded on the east by the west line of Lots 4 through 6, in block 6, of BYRWOOD, Plat book 27, Page 26, and bounded on the south by the W/ly prolongation of the south line of said Lot 6. A/K/A: The north 144.8' of the NW ¼, of the NE ¼, of Section 23, Township 54 South, Range 40 East, lying 50' east of the centerline of the Florida East coast Railway main track as now established, less the north 50' thereof. AND: EXHIBIT "B": A portion of Florida East coast Railway's Right-of-Way, in Section 23, Township 54 South, Range 40 East, lying 194.8' south of the centerline of S.W. 40th Street (Bird Road), said centerline of S.W. 40th Street (Bird Road) also being the north line of said Section 23 and bounded on the west by a line parallel to and 50' east of the centerline of the Florida East Coast Railway main line track as now established and bounded on the south of the south line of the north ½, of the NE ¼, of said Section 23 and north line of Tract "D" of LUDLAM POINT FIRST ADDITION, Plat book 129, Page 84 and bounded on the east by the west line of Lots 7 through 34, in Block 6, of BYRWOOD, Plat book 27, Page 26; also being bounded on the east by the west line of Lots 1 through 14 and the S/ly extension thereof, of EL ESCORIAL, Plat book 92, Page 71, said boundary being the west line of the east ½, of the NE ¼, of said Section 23. A/K/A: That portion of the NW ¼, of the NE ¼ of Section 23, Township 54 South, Range 40 East, lying 50' east of the centerline of the Florida East Coast Railway main track as now established, less the north 194.8' thereof. AND: The north 25' of the SW ¼, of the NE ¼, of Section 23, Township 54 South, Range 40 East, lying 50' east of the centerline of Florida East coast Railway main track as now established. AND: Lots 19 & 20 and the north 5' of Lot 21, in Block 6, of BYRWOOD, Plat book 27, Page 26.

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HEARING NO. 04-374

23-54-40
Council Area 12
Comm. Dist. 7

APPLICANT: PANTHO MENENDEZ LAND TRUST

PAGE TWO

LOCATION: Lying between S.W. 40 Street & S.W. 44 Street, west of S.W. 69 Avenue and east of the Florida East Coast Railway Right-of-Way, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3.5 Acres

GU (Interim)
BU-2 (Business – Special)
RU-1 (Single Family Residential)
RU-4M (Modified Apartment House 35.9 units/net acre)
RU-4L (Limited Apartment House 23 units/net acre)